

Message Text

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PAGE 01 ABU DH 01959 152259Z
ACTION NEA-10

INFO OCT-01 ISO-00 EB-08 L-03 HA-05 TRSE-00 /027 W
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FM AMEMBASSY ABU DHABI
TO SECSTATE WASHDC 8117
USDOC WASHDC
INFO AMEMBASSY KUWAIT

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E.O. 11652: N/A
TAGS: BEXP, PINT, TC
SUBJECT: BOYCOTT OF ISRAEL - REQUEST FOR GUIDENCE

1. AN AMERICAN FIRM, BASED IN ONE OF NORTHERN EMIRATES, IS CURRENTLY COMPETING FOR A LARGE GOVERNMENTAL CONTRACT IN THE EMIRATE OF ABU DHABI. A KUWAIT COMPETITOR HAS ASSERTED TO THE ABU DHABI BOYCOTT OF ISRAEL OFFICE THAT THE US FIRM'S BOARD HAS SEVERAL MEMBERS OF JEWISH FAITH AND CLAIMS THAT THESE BOARD MEMBERS ARE ZIONISTS. AS A CONSEQUENCE, ABU DHABI BOYCOTT OFFICE HAS OVER LAST SIX MONTHS SENT AMERICAN FIRM SEVERAL BOYCOTT QUESTIONNAIRES AND LETTERS CITING THE KUWAITI FIRM'S CLAIM AND THREATENING TO PUT THE US FIRM ON ITS BOYCOTT LIST IF FIRM DOES NOT REPLY TO THE QUESTIONNAIRES. ABU DHABI BOYCOTT OFFICE FURTHER INSISTS THAT REPLY BE PROPERLY AUTHENTICATED BY RESPONSIBLE OFFICIAL OF US FIRM.

2. US FIRM IS UNDERTANDABLY CONCERNED OVER WHAT TO DO. NOT ONLY DOES IT STAND TO BE ELIMINATED FROM COMPETITION FOR ABU DHABI CONTRACT BUT ALSO TO BE CUT OFF FROM ITS EXTENSIVE MIDDLE EAST TRADE FOR FAILING TO ANSWER QUESTIONNAIRES. IN PARTICULAR, THE FIRM MAY LOSE ONGOING MANAGEMENT CONTRACT WHICH IT HOLDS FROM THE GOVERNMENT OF ONE OF THE

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NORTHERN EMIRATES. FIRM HAS BEEN TOLD BY ABU DHABI BOYCOTT OFFICE THAT IF IT DOES NOT RESPOND, CENTRAL BOYCOTT OFFICE IN DAMASCUS WILL BE INFORMED OF ITS ACTIONS.

3. THE AMERICAN MANAGER OF THE US FIRM, WHICH IS A LOCAL SUBSIDIARY OPERATING ENTIRELY WITHIN THE UAE, UNDERSTANDS THAT HE MAY NOT BE UNDER ANY CIRCUMSTANCES REPLY TO ANY

QUESTIONS CONCERNING RELIGION OF PARENT COMPANY'S BOARD MEMBERS OR THEIR NATIONAL ORIGIN. HOWEVER, HE BELIEVES HE MAY AFFIRM AS TO THE PRESENT NATIONALITY AND CITIZENSHIP OF BOARD MEMBERS OF US PARENT. HE FURTHER BELIEVES HE MAY REPLY TO THE QUESTIONNAIRE ABOUT US PARENT IF HE CAN DO SO ENTIRELY OF HIS OWN KNOWLEDGE AND WITHOUT REFERENCE TO THE US PARENT. THE AMERICAN MANAGER ALSO HAS ASKED IF THE EMBASSY COULD AUTHENTICATE HIS SIGNATURE USING STANDARD FORM FOR ACKNOWLEDGMENT OF EXECUTION OF A DOCUMENT.

4. IT IS OUR RECOLLECTION THAT SINCE 1963, USG HAS REFUSED TO AUTHENTICATE ANY BOYCOTT RELATED DOCUMENT THAT CONTAINED QUESTIONS REGARDING RELIGIOUS FAITH OF INDIVIDUAL. SINCE MOST BOYCOTT QUESTIONNAIRES AT TIME CONTAINED SUCH LANGUAGE, PRACTICAL EFFECT WAS TO END AUTHENTICATION FOR ANY BOYCOTT RELATED DOCUMENT. IT IS FURTHER OUR UNDERSTANDING THAT SINCE MID 1970'S, DEPARTMENT HAS STOPPED AUTHENTICATING SIGNATURES ON ANY BOYCOTT RELATED DOCUMENTS REGARDLESS OF CONTENTS. IS THIS UNDERSTANDING CORRECT?

5. WOULD ALSO APPRECIATE CLARIFICATION WHETHER AMERICAN MANAGER OF LOCAL SUBSIDIARY CORRECT IN HIS BELIEF THAT HE CAN RESPOND TO BOYCOTT QUESTIONNAIRE REGARDING US PARENT FIRM IF HE DOES SO ENTIRELY ON HIS OWN KNOWLEDGE AND WITHOUT REFERENCE TO THE US PARENT FIRM. AS WE UNDERSTAND REGULATIONS, PARENT FIRM RESPONSIBLE FOR ACTS OF ITS LIMITED OFFICIAL USE

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FORIENG SUBSIDIARIES AND HENCE OF ACTIONS TAKEN BY MANAGERS OF ITS SUBSIDIARIES.

6. WOULD APPRECIATE REPLY SOONEST. WHILE US FIRM HAS NOT REQUESTED US TO DO SO, WE HAVE ALREADY INFORMALLY RAISED ISSUE OF QUESTIONNAIRE WITH ABU DHABI CHAMBER OF COMMERCE AND PLAN TO GO TO HIGHER AUTHORITIES WITHIN UAEG. DICKMAN.

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Control Number: n/a
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Draft Date: 15 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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ISecure: 1
Legacy Key: link1978/newtext/t19780757/aaaabvxz.tel
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Litigation Codes:
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